

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CALVIN MALONE et al.,

Plaintiffs,

v.

MARK STRONG,

Defendant.

CASE NO. 3:16-CV-05284-RBL-DWC

ORDER ADOPTING REPORT AND  
RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge David W. Christel, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and **ORDER:**

(1) The Court adopts the Report and Recommendation.

(2) Plaintiffs request for class action certification (Dkt. 28) is denied without prejudice.

(3) The claims of Plaintiffs Mitchell, Fox, Schoonover, Robinson, Brooks, Cantley, Parsons, Townsend, Geier, Jones, Hancock, Nelson, Rafford, Cole, Mathis, Jaeger, Brennan, Hopkins, Dumas, Pouncy, Jackson, McCollum, Azeem, Toomey, Coleman, and Turner are dismissed from Case No. 3:16-cv-05284 without prejudice.

(4) The Clerk is directed to open a case for each of the following Plaintiffs: Mitchell, Fox, Schoonover, Robinson, Brooks, Cantley, Parsons, Townsend, Geier, Jones,

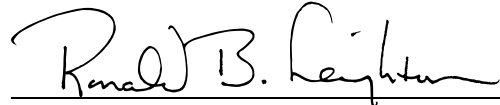
1 Hancock, Nelson, Rafford, Cole, Mathis, Jaeger, Brennan, Hopkins, Dumas, Pouncy,  
2 Jackson, McCollum, Azeem, Toomey, Coleman, and Turner (Dkts. 2-27).

3 (5) The Clerk is directed to docket each Plaintiff's pending Application to Proceed IFP in  
4 each new case (Dkts. 2-27).

5 (6) The Clerk is directed to docket the Proposed Complaint (Dkt. 28) as the proposed  
6 complaint in each new case.

7 (7) The Clerk is directed to assign each new case to District Judge Leighton and referred  
8 to Magistrate Judge Christel.

9 Dated this 23<sup>rd</sup> day of June, 2016.

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11 Ronald B. Leighton (as auth/dn)  
12 United States District Judge  
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